

Minutes of DAAC Meeting

Attendance

DAAC members present were: Joe Tringali, Vice-chair; Irene Barrelet, Clerk [arrived late]; Joan Rising [arrived late]; Dana Goddard and Jim MacRostie.

Others present were Gerry Weiss, Select Board Representative; Nathaniel Malloy, DAAC staff liaison; and members of the public Jane Gamache.

Absent: Seren Derin, Chair; Reginald Andrade

Call to Order

Vice-chair Joe Tringali called the meeting to order at 3:07 p.m.

Announcements

Mr. Malloy told the DAAC that the design for Pomeroy/Route 116 intersection had changed by eliminating the bike lanes along Route 116 just north and south of intersection, and creating a 10 foot wide multi-modal path on the west side of the street (there will still be a 5-foot wide sidewalk on the east side of Rte. 116). This path would have a single yellow line painted down the middle. The DAAC recommended the following be considered with regards to the multi-modal path:

1. The width of the curb cuts for the multi-modal path should remain wide enough to accommodate two lanes of bike/foot traffic; they should not narrow down to five feet.
2. The path will have a variety of users travelling at different rates of speed—cyclists, pedestrians, baby strollers, wheelchairs. The members of the DAAC had concerns that a width of ten feet (five feet in each direction) may be easily congested as faster traffic tries to weave through or pass the slower traffic.

Minutes

Minutes from the January, 2009 meeting were reviewed and discussed. No corrections were found. Mr. Goddard made a motion to accept the minutes; Mr. MacRostie seconded the motion, and the vote was unanimous to accept the January 2009 minutes as submitted.

Cinema Seating—Amherst Cinema and Cinemark Theater

Mr. Tringali reported on an email he had sent to the committee describing his correspondence with the Attorney General's office regarding accessible and companion seating at local theaters. The Attorney General's office called the Amherst Cinema and the Cinemark Theater and was told that a manager would ask people to move from the companion seating when necessary. The theaters also explained that they would place signs reserving companion seating to deter other moviegoers from using them. Mr. Tringali asked the committee if anyone had seen a movie recently to confirm the signs were visible and in place, but no committee member has been to either theater.

Mr. Tringali believes that there is an HP symbol on the floor in the Amherst Cinema to designate the open area as HP seating, but emphasized the problem is companion seating where nothing identifies it as such.

Mr. Weiss asked if signs for companion seating would be permanent or if they would be removed at a certain time before the movie begins if the seat(s) was not occupied.

Mr. Tringali asked what measures could help deter people from sitting in the companion seating. He explained that when going to a movie, he arrives an hour in advance to reserve seating by asking the manager to tape off the companion seating, which he says they gladly do.

Ms. Rising suggested the movie theater issue a card/pass to visitors allowing them to use the companion seating. She also referenced the signs on public transportation that clearly shows/states that certain seats are designated for the disabled, elderly, pregnant women, etc., and proposed similar signs could be installed in the movie theaters.

Mr. Weiss proposed that if people are uncomfortable asking someone to vacate the companion seating, it could become theater policy that an attendant accompanies the visitor to the theater and asks the person(s) to leave.

Mr. Tringali suggested that a public outreach message describing companion seating be incorporated into the advertisements/ rules-of-the-theater shown on the screen before the movie begins.

Mr. Weiss recommended we invite the managers from Amherst Cinema and Cinemark Theaters to an upcoming DAAC meeting where this issue could be formally addressed and resolved.

Mr. Malloy agreed to contact the theaters to arrange a time when a representative could attend a DAAC meeting.

Ms. Rising expressed concern that even the hallways leading into the individual theaters at Amherst Cinema are extremely narrow, funneling all moviegoers who stampede out of a show. She said that this is dangerous for anyone who is not completely stable on their feet.

Visitability

Mr. Tringali explained that he had ‘not given up’ on trying to incorporate visitability into development methods in Amherst. He asked in which regulations/policies these standards could be inserted, and how stringent they could be, recalling Ms. Weeks, the Building Commissioner, explaining at the October, 2008 meeting that local standards cannot be more strict than state codes. The Architectural Access Board does not speak to visitability, but Universal Design; standards that involve significantly more change to traditional construction than making a structure visitable.

Mr. Malloy confirmed that Ms. Weeks was correct: local codes cannot be more strict than state building codes. However, Mr. Malloy suggested that visitability could be inserted into the subdivision regulations or zoning bylaw as incentives for developers. He agreed to clarify this issue and present it to the committee at a later date.

Private Parking Lots—Meeting with the Chamber of Commerce

Mr. Tringali reiterated that at previous meetings the committee had discussed MGL Ch. 40 Section 21 (23), which allows parking enforcement officers to ticket cars parked illegally in HP spaces on private property outside the regular business hours of 9 am – 5 pm.

Mr. Weiss recommended that this issue be presented to:

1. *Promoting Downtown Amherst*—an organization that meets the 1st Thursday of every month at 8:30 am; and
2. *Parking Task Force*.

Mr. Weiss kindly volunteered to represent the DAAC at both of these organizations' next meeting.

Ms. Barrelet volunteered to meet with the Chamber of Commerce, but asked if she could first learn the number of public/private parking lots in the Town Center, how many HP spaces are in those lots, and other relevant information. She also noted that many HP spaces are missing 'fine' signs, which states the monetary penalty for illegally parking in an HP space.

Mr. Malloy recommended that the Police Department be contacted because their personnel would most likely be the parking enforcement officers after regular business hours. He explained that before Amherst could adopt MGL Ch. 40 Section 21 (23), a number of issues need to be resolved such as public outreach, determining who would be the enforcement officers, which account the ticket fines would be deposited, and if adopting this statute would impact the management of private lots.

Ms. Rising suggested the hiring of a part-time parking enforcement officer who could patrol the lots outside the regular business hours.

Mr. Tringali suggested police officers could write tickets (this would eliminate hiring a part-time parking enforcement officer) and the money be deposited into a fund designated for the removal of barriers in the Town Center.

Mr. Weiss believed police officers, who are on-duty around the clock, could issue tickets. He noted that during certain times of the year, such as warm spring nights, they may be too busy with the students to focus their effort on parking.

Emergency Contact Information

Ms. Barrelet summarized her visits to the police and fire departments in Amherst to investigate their ability to handle incoming calls from all persons, in particular the deaf and blind. She explained that the Fire Department uses a central dispatch system where calls are transferred. The Police Department demonstrated how an incoming TTY call is transferred to a computer with a split-screen (deaf speak) that facilitates the call. Ms. Barrelet asked the Police Department if they had video phones as this more easily accommodates the deaf (for signing); if 911 were dialed, an interpreter would answer the call and relay the message to the police. The Police Department responded that until they have a mandate from the State, they cannot purchase and use video phones but will continue with TTY.

Mr. Tringali recommended contacting the Massachusetts Commission for the Deaf and Blind to release the most current information and correspondence technology to Amherst.

Mr. Tringali noted that more Town departments do not have TTY or means for "effective communication" with the public. He stated that using an interpreter is not appropriate or legal for certain phone calls, and that the Town needs technology to address this issue.

Ms. Barrelet noted that an interpreter may be necessary, depending on the caller, and that they have privacy training and privacy laws to follow. She described the video relay service used in Holyoke is fantastic, and is told by her clients that an interpreter is always available to answer and transfer calls. The video is transmitted through the television and using this “videophone” does not cost extra.

Mr. Tringali believed that to use the videophone service, one must pay for cable (because it is transmitted through the television). He remembers citizens who complained about paying the cost of cable just to have this videophone service.

Mr. Weiss asked if the Department of Public Works (DPW) needs TTY for emergencies [ie. clogged storm drain flooding a street].

Mr. Tringali agreed to research whether departments in Amherst Town Hall are required to have TTY.

Amherst Depot

Mr. Tringali explained that “an injured party” is needed to file a complaint with the Justice Department about the inaccessible loading platform and parking lot at the Amherst train station. He would like to know if one were to call Amtrak and the Amherst station:

1. Can someone with a disability get on the platform?
2. How much in advance must Amtrak be notified if a passenger needs assistance getting on the platform?

Mr. Weiss suggested Town Counsel could make an inquiry with Amtrak and New England Central Railroad to determine the ownership, management and responsibility of the train station.

Seating at the High School Auditorium

Mr. Tringali noted that the committee is in the process of determining the number and location of accessible seats in the high school auditorium. He asked for clarification regarding the definition of a structure from the Architectural Access Board (AAB) in order to determine if the renovations completed in the late 1990’s should have triggered ADA compliancy in the auditorium.

Mr. Malloy agreed to contact the AAB about the definition of a structure.

Ms. Rising noted that the accessible seating along the back of the auditorium disrupts foot traffic by blocking the aisle.

Mr. Weiss recommended that any correspondence to Town employees regarding accessible seating at the high school auditorium be sent to the following people:

Chair, Amherst School Committee, Mr. Churchill
School Principal, Mr. Jackson
Interim Co-Superintendent of Schools, Ms. Vivian and Mr. Sprague

Jones Library HP Parking Space

The committee will wait for warmer weather when the snow melts to schedule a meeting with Ms. Isman, Jones Library Director, to discuss the HP parking space, which appears to have an inadequate unloading area.

Temporary Sidewalk on Town Common

Mr. Malloy reiterated that during the renovation of the Lord Jeffrey Inn, Amherst College has proposed to construct a temporary sidewalk on the Town Common from Spring Street south to Route 9. The Public Shade Tree Committee strongly recommended an elevated boardwalk (it could be just 1” above the ground) to reduce impacts to trees (and their roots) on the Common. Mr. Malloy reported that at a recent Public Shade Tree Committee meeting he conveyed opinion of the DAAC that if a boardwalk is installed, the wood surface be treated to give it traction in all types of weather, especially snow and rain.

Ms. Rising referenced a boardwalk in Wellfleet, Massachusetts, made of treks, that sits on the ground and is accessible. The boardwalk is temporary and can be easily moved to redirect users. She said the material is a non-slip surface and the joints on the surface (between the planking and sections of the boardwalk) are smooth; it is convenient for a wheelchair to use.

Mr. Tringali asked if tree roots would be significantly impacted and the soil compressed if the boardwalk sits directly on the ground.

It was suggested that Mr. Malloy contact Tom Davies, Assistant Director of Facilities/Director of Design & Construction, and Jim Brassord, Director of Facilities/Associate Treasurer for Campus Services, both of Amherst College, to ask their presence at future DAAC meeting to discuss the boardwalk.

Other

Mr. Weiss inquired about the membership of Mr. Andrade.

Mr. Malloy explained that he has emailed Ms. Derin, Chair of the DAAC, and asked that she try contacting Mr. Andrade by phone and methods other than email to determine if his lack of email correspondence can be attributed to an illness or circumstance out of his control. If, however, it is determined that he has acted irresponsibly by not responding to correspondence or attending numerous meetings, then it is up to the Chair of the Committee, Ms. Derin, to ask the Town Manager to revoke Mr. Andrade’s membership.

Next Meeting

Meetings for the next few months were discussed and it was agreed that the DAAC would continue to meet at Stavros. The meeting times are as follows:

March 10, 2009 @ 3:00 pm

April 7, 2009 @ 3:00 pm

May 5, 2009 @ 3:00 pm.

Adjournment

The meeting adjourned at 4:35 PM

Respectfully submitted,
Nathaniel Malloy, staff liaison